

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

CHAD ELIE and JOHN CAMPOS,

Defendants.

X
:
:
:
:
:
:
:
:
:
:
X

No. 10 CR. 336 (LAK)
ECF Case

**DECLARATION OF
BARRY H. BERKE**

BARRY H. BERKE, ESQ., hereby declares:

1. I am a partner at the law firm of Kramer Levin Naftalis & Frankel LLP, counsel for defendant Chad Elie in the above-captioned matter.
2. I submit this declaration to provide the Court with true and correct copies of the following documents in support of Mr. Elie's and John Campos' Memorandum of Law in Reply to the Government's Motion *in Limine*:

- | | |
|-----------|--|
| Exhibit A | December 29, 2010, letter from Mallon & McCool, LLC, addressed to Chad Elie. |
| Exhibit B | "Prohibition on Funding of Unlawful Internet Gambling—A Small Entity Compliance Guide," printed from the website of the Board of Governors of the Federal Reserve System on February 28, 2012. |
| Exhibit C | The transcript of the jury charge from <i>United States v. Larson</i> , 05 CR 888 (S.D.N.Y. Dec. 11, 2008). |

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that the foregoing is true and correct.

Executed on February 29, 2012



Barry H. Berke
KRAMER LEVIN NAFTALIS & FRANKEL LLP
1177 Avenue of the Americas
New York, New York 10036
(212) 715-7560
bberke@kramerlevin.com
Attorney for Defendant Chad Elie